

for internal consumption—the fact that Zhorez Medvedev is the author of the outspoken exposé of Soviet genetic policy under the Stalin regime, *The Rise and Fall of T. D. Lysenko*, which, in spite of the official retreat from Lysenkoist genetics and Stalinist policies during the mid-60s, could not appear in Russia because it is too critical of the regime, but which was published last year in English translation by the Columbia University Press.

The picture which Medvedev presents is one of scientific theories “tailored” to fit in with official philosophies and attitudes (the molecular theory of heredity was equated to Nazi racism, and hence not only condemned by academicians, but built up into a scientific bogeyman in the propaganda press), the supporting of the official theories of vernalization and nutrient-conservation by falsified evidence, false claims, or simple fiats in the form of telegrams from Lysenko to high-ranking officials.

Perhaps even more alarming than the excesses of Lysenkoism is Medvedev's answer to the question of how these happened. False doctrines, says Medvedev, are natural to science, they are “the extreme variants of essential hypotheses, assumptions and theories”, which under the natural conditions of scientific progress will be eliminated by further experiments and by the free discussion and interchange of ideas with other researchers in the field or in allied fields. They can achieve “a monopolistic position only in state systems that are extremist in nature, as a particular manifestation of many other deviations from the norms of organized human society”.

Shortly after the appearance of his book abroad, Medvedev was dismissed from his post as director of the Laboratory of Molecular Radiobiology at the Institute of Medical Radiobiology in Obninsk. His present confinement in the mental hospital will prevent him from attending an international conference on genetics. The telegrams of protest resulted in the dispatch to Kaluga from Moscow of a special psychiatric commission, which pronounced him normal, but recommended that he be kept in hospital for a further week—apparently as a face-saving measure. Clearly, Medvedev is seen as an opponent, not only of the Stalinist personality cult and the excesses which it produced, but of present policies also. It is noteworthy, perhaps, that another protest organized by Academician Sakharov denounced the holding in a mental hospital of Major-General Petr Grigorenko, who wrote a clandestine article in favour of the now-banned work of the historian Aleksandr Nekrich, *June 22, 1941*, an indictment of Stalin for ignoring the Nazi threat to Russia and by weakening the defence capacity of the Soviet Union. The rehabilitation of Stalin has been in progress for some time now. The Medvedev affair could be a sign that Lysenko may be due for rehabilitation in his patron's wake.

INVENTIONS

Resolving a Patent Muddle

WITH patent offices around the world breaking down largely because of the pressure of patent applications from abroad, two agreements which could ease the load are being hammered out. In Washington the Patent Cooperation Treaty is being negotiated and could even be signed within three weeks. This would

ease the pressure on patent offices by sharing the work of checking whether an invention has been anticipated, but the granting of patents would still be up to the national patent offices. A more radical scheme, but one which is limited to western Europe and is not so truly international, is being discussed by eighteen countries including Britain. This aims at the setting up of a European Patent Office and involves some decline in the status of national patent offices.

Although a draft convention that deals with the way patent applications would be treated under the European scheme has already been published, the establishment of the scheme seems to be four or five years away. An international patent system has been as elusive as the philosopher's stone for more than a century, and there are many obstacles in the way of a European agreement. For example, there is the question of what is patentable—in Italy pharmaceuticals are excluded—and the durations of patents differ from one country to another.

The eighteen countries involved in the European negotiations are the EEC and EFTA countries together with Greece, Ireland, Spain and Turkey. The scheme is to consider the mechanism of patenting in two parts: what happens before a patent is granted and what happens afterwards. After a year's intensive effort the first part of the process has been covered by a draft convention, which envisages that a European Patent Office would examine applications for novelty in particular, and would grant patents that would be effective in all the eighteen countries. The location of the European office is still the subject of bargaining, but The Hague and Munich are believed to be candidates, and the possibility of some applications being examined in branch offices, for example in London, is not ruled out.

Once a patent is granted the next step depends on whether or not the state is a member of the EEC. For the purposes of the European patent the EEC is treated as a single country and a uniform legal system, under which the European patent will have force throughout the EEC, will be established to deal with such matters as patent infringement.

A European Patent Office could find itself dealing with something like 40,000 applications a year, and despite the difficulty of estimating the running costs of an international organization it looks as if the system will lead to savings for anyone who wants to file a patent in three or more countries.

The diplomatic conference on the European agreement is unlikely to take place before 1971. In the meantime there is the Patent Cooperation Treaty being negotiated in Washington which involves a number of offices to which patent applications will be sent for a report on novelty. After eighteen months the application is then published together with a list of the documents where the invention has been anticipated. It is then up to the national patent office whether or not to grant a patent. There are likely to be searching offices in the United States, Germany, the Soviet Union, Japan, and in The Hague, where the International Patent Institute is sited, which will also be the searching authority for the European scheme.

Although in principle the national offices will be able to ease the load by delegating the search procedure through the treaty, it remains to be seen to what extent the national offices are prepared to do this. In the end economic necessity will be the driving force.